## **Loyalty** NEEDS BETTER FRIENDS

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in the dissenting opinion of Judge

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LADY, almost blind, was working at a routine job in a government agency which had nothing to do with national security. She had taught herself, in spite of her handicap, to do her work efficiently. In due time, on the usual basis, she was investigated. It was discovered that many years before, while resident in France, she and her husband, since deceased, had entertained some radical politicians in ployee, one their home, some of whom were friendly to the Union of Socialist Soviet Republics.

Upon being questioned, the lady not only admitted that the charge was correct but insisted that as a free American she had a perfect right to entertain whom she would. She enjoyed listening to conflicts of opinion and thought that, although truth was a hard thing to come by, discussion might sometimes lead to it. One of her examiners asked her what she thought about Russia. She said that she had never been there and was not entitled to an opinion. The examiner then inquired whether she had never read anything about Russia in the newspapers. She answered that she was blind and could not read the newspapers. He asked about the radio. She said she didn't listen to it much and in any case did not know what to believe and what to disbelieve.

Obviously, she was a difficult lady to interrogate. She did not hesitate to make it clear that she saw no sense in the procedure to which she was being subjected. But it was certainly evident—except to her slow-witted inquisitors—that she was incapable of conspiracy. And in any case, her work afforded her no opportunity whatever of activities which might be called subversive. Yet, she was dismissed.

This was so ridiculous that as soon as I had corroborated her story I made suggestions leading to prompt publicity, as a result of which the lady was reinstated. In how many cases, however, has similar injustice been done without a remedy being available? Let us note some sample questions which are asked in loyalty hearings: "Do you read a good many books?" "What newspapers do you buy or subscribe to?" "How do you explain the fact that you have an album of Paul Robeson records in your home?" "Do you ever entertain Negroes in your home?"

These questions are quoted from page 31 of Case No. 10382, decided by the United States Court of Appeals for the District of Columbia Circuit, and are cited

The Rev. A. Powell Davies is one of America's best-known preachers. He is the minister of All Souls' Church, Unitarian, in Washington. Henry Edgerton. From the same source I cite the fact that a woman employee of the government was under suspicion of disloyalty because, at the time of the seige of Stalingrad, she collected money for Russian war relief while at the same time she was collecting money for British and French relief. Still another employee, one who lost her job and appealed and lost the appeal, two to one, was asked with considerable persistence what her views were about the segregation of blood

in blood banks.

I quote from this court record because it represents, on unassailable authority, the sort of thing that is told me, week by week, in my office. A great deal that is told me I cannot disclose without breach of confidence and the possibility that the individuals concerned might be identified. But I can safely report not only that government workers under investigation are being constrained into the most submissive and reactionary sorts of conformity but that many who are not being investigated ask my counsel as to whether they should continue to engage in interracial activities, or can safely receive into their homes at Christmas time a brother or sister who was once a member of Henry Wallace's Progressive Party. I have even been asked whether I think it prudent that a government worker should come to me, as a minister of religion, for advice, since something I might say at some time might be traced, correctly or falsely, to this particular individual.

What a commentary it is! An ugly, sinister and completely stupid process of intimidation is undermining the morale of completely loyal government workers, most of whom are afraid, not because they have ever had Communist leanings, or even radical associations, but because some one may accuse them out of personal malice and they will not even be told the name of their accuser or the details of the charge against them. Secret accusation and secret trial, and the building up of a bureaucracy of investigators who want to make a good showing—this is no longer merely disagreeable; it is very dangerous business. Secrecy itself is dangerous and should be reduced to the barest minimum. Government officials who are most concerned with classified material, when they tell the truth, freely admit that most of the secrecy is unnecessary. Even in the case of atomic matters, the Kremlin is likely to know, with the aid of its own scientists, far more than the American people know. But the fact is that a bureaucracy is being built up on secrecy, and

it is from secrecy that it derives its importance. Moreover, the plague is spreading. Secrecy can be used to cover up blunders that the public should know about; secrecy can spread a cloak about malfeasance and corruption.

What is necessary is to light up all this darkness. The loyalty boards object when the nature of their procedure becomes known. Why do they object? Is it because the enemy may discover something to his advantage? Nothing of the kind! It is because the American people must not be allowed to know the truth! It must not be discovered that we have entrusted our loyalty investigations to mediocre minds with a blurred sense of justice and a heavy freight of prejudice. Race prejudice, for instance, can play an important part in deciding the attitude of a board member to the case he is investigating. All this could be ended, and it must be ended. There is a better way, a fairer, more intelligent, more decent, more American way. And if we do not find it, we shall lose before long a great deal of what we are defending in our struggle with the Communists.

Let me be well understood. I am not forgetting that we need protection against spies and traitors. Communism is a conspiracy and must be dealt with as such. For my own part, I spoke and wrote of the danger of Communist infiltration considerably before the government became concerned about it, and at a time when few believed the threat was serious.

What I thought then, I think now. I have been actively opposed to Communism all my life, and today I am more so than ever. But I am opposed to Communism because I love justice and liberty. For the same reason I am opposed to oppressive and unjust procedures when I find them in my own country. And at present, every week discloses to me new cases of these evils in the methods that are used in testing loyalty.

But now, I want to come to something far more difficult. I want to ask whether it is right or even wise that people who have once been Communists or Communist sympathizers should in every case be dismissed from government service. Are we to suppose that in other matters people can change their opinions but that in their views on Communism they remain the same forever? Are we to believe that people who were secretly attracted to the Communist Party but never joined it—perhaps because they lived in a place where there was no party activity—have a loyalty beyond "reasonable doubt" but that those who did join the party and then got out of it as soon as they discovered its true nature must be presumed to be potential traitors? Let me give some illustrations. For obvious reasons I have disguised the facts, but without affecting the substance or the emphasis.

Some while since, I was told that a young married couple were outside my office, earnestly asking that I interrupt my appointments and take time to see them. They were going to end their marriage then and there, they said, unless I could find a way to reconcile them. So I had them brought in.

This was their story. Both had been dismissed from work for the government. The young woman' had joined the Communist Party in a foreign city at a time when it seemed to her to represent her youthful idealism. She believed that Communism was democratic, that it led to greater liberty than other systems, and that it served the welfare of the people. After her first week in the Party, she was visited by a Communist official who told her what friends she must drop and which acquaintances should be cultivated. She replied that she had no intention of letting the Party choose her friends. After a brief interchange which made clear to her the real nature of Communist methods, she resigned from the Party. She had been a member for exactly 10 days.

When she came to work for the government, years later, she was utterly opposed to Communism and regarded the foregoing incident as a minor escapade of her college days. But she had to answer an oath as to whether she had ever been a member of the Communist Party. Her conviction was that she never had; the Party she had briefly joined was not the Party she had intended to join, and as soon as she discovered this, she had got out. So she answered that she had never been a member of the Communist Party. I asked her whether she understood that she had made a false statement under oath. She vehemently denied that she had done anything of the kind. She had never really joined the Communist Party, and what the government wanted was the truth, wasn't it?

I asked her to go on with her story. The government had finally discovered that she had once been enrolled in the Party. Immediately, both she and her husband had been dismissed. Her husband felt that he was ruined and that because his wife had never told him that she had once joined the Party, she no longer deserved his confidence and he wanted the marriage to end. I spent some time talking with them. I could do nothing, of course, about their dismissal. But I was able to help them with their marriage, and, so far as I know, they are still together.

But I ask myself, what did the government gain by these dismissals? The young woman had committed perjury. It was a very damaging fact, and I tried to make her understand what it would necessarily mean to the government. Yet, her story was true. In her heart, she had never been a Communist. She was much more of a person than her college friend who shared her views at the time but was too timid to join the Party. Moreover, she had had her fingers burned. She hated Communism. So did her husband. For such people, is there no way back? How different this case would have been if the young woman could have talked, when she applied for a government job, with someone with common sense and a rational method of inquiring into loyalty. How does it happen that the prominent Communist who recants becomes a sort of popular hero while a high-spirited young American woman with an adventurous mind is made an outcast because of a youthful misapprehension? Are people's convictions weaker because they have had to forge them out of experience? But let me tell another story.

A lady comes to my office. Her husband, she fears, is about to take his life. She tells me why she thinks so, and I am much alarmed. I go to see him. I find that many years ago, while working at a foreign university, this man attended a Communist discussion group. He did not join the Party—just listened to what he thought was "something different" and therefore interesting. When he returned to the United States, he was invited to another such discussion group, and although his interest was waning, he did attend a few meetings. Presently, he found himself hostile to Communism and fearful of where it might lead. In World War II, he served in the United States Army, with unusual credit. After the war, he entered the government service. His progress was rapid and his devotion to American interests beyond question. Then, suddenly, he is told that an accusation has been brought against him. Upon going over his past, he concludes that it must have been the discussion groups and tells his superior immediately. As it happens, this was not the charge, but it must now be entered. He is at once dismissed. He sees no future. He wants

his family to have the benefit of his life insurance. The reader would doubtless like to know how it turned out. So would I. The family left town, and I have no trace of them. But if the man killed himself by the method he described to me, there is very little chance that anyone, even including his wife, will know that it was suicide.

In what way was the security of the United States improved by the dismissal of this man—a highly intelligent, thoroughly loyal American, with a fine military record, serving his country with complete devotion? Less honest men, one must suppose, remain secure in their employment. Even grafters and bribe-takers are protected. But an unusually fine American, who was once curious about Communism and learned enough about it to be against it, is dismissed—because he had a bright mind instead of a dull one and wanted to discover what was what.

I protest that we are on the wrong track. Instead of increasing our national security we are diminishing it through putting a premium upon unintelligence. The fact is—and it is a terrifying fact to anyone with a sense of history—that loyalty in the United States has come to mean a lifeless, lusterless and spiritless conformity. To be loyal you must be commonplace and mediocre. You must prove that there is no "reasonable doubt" about you by seeming to be someone that a dull-witted member can easily understand, someone who does not frighten him by showing signs of possessing an active mind and a willingness to use it.

The present friends of loyalty, the professional ones, are unequal to their task. The whole basis is unintelligent. We need a better, fairer and wiser procedure, and brighter minds to manage it. How, in the present atmosphere of partizan frenzy, we are to make the necessary changes, I do not know. But this I know: loyalty in America needs better friends.